

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, MAY 10, 2004

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Kreider, Raser, Senhauser, Spraul-Schmidt, and Sullebarger present. Absent: Bloomfield, Chatterjee, Kirk and Wallace

MINUTES

The minutes of the Monday, April 26, 2004 meeting approved as corrected (motion by Spraul-Schmidt, second by Raser).

CERTIFICATE OF APPROPRIATENESS, 1955 MADISON ROAD, EAST WALNUT HILLS HISTORIC DISTRICT

Staff member Adrienne Cowden presented the staff report on a proposal to install a fence at 1955 Madison Road, a single-family residence which contributes to the East Walnut Hills Historic District. The ornamental aluminum fence would be four feet high and enclose a portion of the front yard. The East Walnut Hills district guidelines discourage fences in front yards, but stipulate that if permitted, they should be no higher than three feet. The guidelines do not specify under what circumstances a front yard fence may be acceptable. Staff stated the configuration of the lot and its location in the district could make the type of fencing proposed acceptable but recommended against permitting the additional height. In response to Mr. Raser, Ms. Cowden said staff notified the East Walnut Hills Assembly of the application and no comments were received.

In answer to Ms. Sullebarger Ms. Cowden said several properties along Madison Road within the historic district had front yard fences, some predating the district designation. She described a variety of treatments from a chain link embedded in a hedgerow to a stuccoed wall to a wrought iron fence with brick piers, all in the vicinity of the subject property.

The owner and applicant, Jeff Woodward, was present to answer questions from the Board. He indicated he has lived at 1955 Madison Road for three years and, in the last two, there have been car accidents on either side of his yard. He said he was concerned about the safety of children and dogs in the yard. Mr. Woodward argued that although a three-foot fence would be helpful, it would not contain his large dogs. He said he would be willing to conceal the fence with planting.

In answer to Ms. Spraul-Schmidt, Mr. Woodward indicated the stone retaining wall that he is presently constructing at the sidewalk will be approximately 30" high. He said the new fence will have ¾" pickets, will sit some distance behind the new wall, and will abut an existing tree.

Ms. Sullebarger acknowledged the guidelines, but given the safety issue on Madison Road, the variety of existing fences already in the neighborhood and the design of the fence, she would support the applicant's request for a four-foot fence.

Mr. Kreider said he felt there was justification for allowing the front yard fence, but saw no compelling reason to allow it to be greater than four feet high. He was particularly

concerned about the cumulative effect of the wall and fence in light of the specific language of the guidelines and the effect the Board's decision would have on other property owners in the district.

BOARD ACTION

The majority of the Board voted (motion by Kreider, second by Sullebarger, Sullebarger voting no) to approve a Certificate of Appropriateness for the construction of a picket fence in the front yard of 1955 Madison Road with the following conditions:

1. The height of the fence be reduced to 3'-0";
2. Adequate landscaping be added to shield the view of the fence from the street; and
3. The final fence and landscape designs shall be reviewed and approved by the Urban Conservator prior construction.

**CERTIFICATE OF APPROPRIATENESS & ZONING VARIANCE, 1111-1115
BROADWAY, OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report on an application for a Certificate of Appropriateness to rehabilitate of two buildings at 1111 Broadway including the construction of a connecting garage, to subdivide the lot at 1111 Broadway, and to develop a parking lot at 1115 Broadway. Ms. Kellam reminded the Board that some years ago, it had permitted the demolition of a frame building at 1115 Broadway; although that structure has been removed, it is still shown on the CAGIS map provided in the staff report.

Ms. Kellam showed the site plan for this corner property bound by Broadway and Elliott Street and Bunker Alley. The parcel at 1111 Broadway includes two separate buildings, one fronting Broadway and the other (labeled 1113 Broadway) facing Bunker Alley. The parcel will be divided into two separate lots; each single-family residence will have a single-car garage joined at the new property line. Each will have easements across the parking lot at 1115 Broadway which will be owned by and serve the condominium at 400 Reading Road, one block away. Ms. Kellam explained that in order to allow the subdivision of 1111 Broadway, zoning variances for front, rear, and side yard setbacks are required.

Ms. Kellam briefly described the rehabilitation work, both proposed and underway. She indicated the work generally met the historic guidelines but was concerned the original chimneys were removed to accommodate new roof decks. Some elements such as fencing and landscaping are not yet fully defined and will require further review. Staff recommended approval of the proposed work and the zoning variance necessary to subdivide 1111 Broadway.

Owner Bill Baum and project architect Mark Gunther were present to answer questions. In answer to Mr. Senhauser, Mr. Gunther said that it was necessary to remove the chimneys not only because they interfered with the new decks but also because they were severely deteriorated. In answer to Ms. Sullebarger, Mr. Gunther admitted work had begun on the project, but it was primarily for cleanout and some minor repair. He said the exterior scaffolding was to secure the brick wall and that no windows were removed.

Mr. Kreider asked whether the Board was also considering work on the proposed parking lot at 1115 Broadway and if so whether the applicant had drawings of the fence and gate.

Ms. Kellam responded that the meeting notice had referenced the entire site (including the parking), but that several details including the fencing have not yet been submitted. Mr. Gunther showed some preliminary sketches of a possible gate. Mr. Forwood indicated that if the height of the fence and gate exceeded six feet, a zoning variance and a separate hearing before the Board may be required.

BOARD ACTION

The majority of the Board voted unanimously (motion by Raser, second by Kreider) to take the following actions:

1. Grant zoning variances for the creation of two single-family residences to permit a 0'-0" front, side and rear yard setbacks for both lots (1111-1113 Broadway) as proposed as per Chapter 1405. Residential Multi Family Districts, Schedule 1405-07 Development Regulations – RMX of the Cincinnati Zoning Code finding that such relief from the literal implication of the Zoning Code:
 - a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
 - c) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.
2. Approve a Certificate of Appropriateness for the rehabilitation of both structures (1111-1113 Broadway), construction of the garage addition, construction of cut away roof decks, and the new surface parking lot at 1115 Broadway with the following conditions:
 - a. Submit a landscape and fencing plan for the entire project including the Elliot Street side and the parking lot to the Urban Conservator; and
 - b. Any revisions and final plans be reviewed and approved by the Urban Conservator prior to issuing a Certificate of Appropriateness and a building permit.

T-ZONE APPROVAL 22 E. 12TH STREET, OVER-THE-RHINE HISTORIC DISTRICT

As historical consultant to the Art Academy of Cincinnati, Ms. Sullebarger recused herself from participating in the review and discussion on this project.

Staff member Caroline Kellam indicated that this application is being heard under the old zoning code that provided for T-Zone reviews, the application having been filed before the effective date of the new code. She indicated that this project is being submitted to the Ohio Historic Preservation Office for certification for historic tax credits and, if approved, would not normally be reviewed by the Board. Due to the placement and size of the signs, however, the work requires relief from the specifics of the zoning. That review is conducted by the Board which must determine that in the context of the total project, it is to the benefit of historic preservation to grant such relief.

Ms. Kellam briefly described the project and indicated that project architect Tom Liebel of Design Collective was present to expand on any issue the Board might raise. Staff recommended that the Board grant the necessary T-Zone approvals to permit the three

proposed signs, but recommended that the internally-illuminated box letter "A" at the southeast corner of the building be modified to conform to the letters of the remainder of the wall sign on 12th Street. Mr. Liebel indicated this would be acceptable.

In response to Mr. Senhauser, Mr. Liebel confirmed that the "ART" sign on the Jackson Street elevation will be of opened face channel letters with neon; transformers will be on the interior of the building. The "A" on the parapet would be externally illuminated.

Gregory Smith, President of the Art Academy, and Scott Vieth and Brian Lacon of Miller-Valentine Group, project manager were also present to answer questions from the Board. Mr. Smith said the Art Academy was founded in 1869 and was located downtown until 1887 when it moved to the Eden Park Building. For the last 25 years it has occupied the former Mt. Adams elementary school. The opening of the 12th Street building will mark the Academy's return to center city. The rehabilitation of two significant industrial buildings in Over-the-Rhine will affirm the Academy's commitment to the architecture of the neighborhood and provide the focus for the creative community. Mr. Smith said the Tax Act Part I was approved in March; the Part II will be filed in June.

Mr. Liebel briefly described the modifications necessary to consolidate the two buildings including creating a new atrium/stair linking the upper floors to a new entry on Jackson Street. He said the majority of the interior is opened; the mushroom columns would remain exposed. A new glazed winter garden will be constructed on the roof and an elevator tower added to the rear; otherwise, the exterior work will remain in tact. He said the Barrel House Brewery will remain on the first floor.

BOARD ACTION

The Board voted (motion by Spraul-Schmidt, second by Kreider, Sullebarger abstaining) to take the following actions:

1. Find that the site conditions, use and proposed signs are unique to this facility;
and
2. Grant the T-Zone approval with the following conditions:
 - a. The "A" be modified to be lighted neon back lighting like the other signs;
 - b. The final plan shall be substantially as presented; and
 - c. Final plans and any revisions are submitted to the Urban Conservator prior to issuing a Certificate of Appropriateness and a building permit.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date